

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT D. SAYRE,

Plaintiff,

v.

CUSTOMERS BANK,

Defendant.

CIVIL ACTION
NO. 14-3740

ORDER

AND NOW, this 16th day of September 2016, upon consideration of Defendant's Motion for Summary Judgment (Doc. No. 62), Plaintiff's Response (Doc. No. 66), Defendant's Reply (Doc. No. 68), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendant's Motion for Summary Judgment as to Count I of the Amended Complaint is granted. Plaintiff's claims in Count I that Defendant violated the Pennsylvania Loan Interest and Protection Law ("Act 6"), 41 Pa. Stat. Ann. §§ 101-605 by collecting (1) \$2,934 in attorney's fees and a (2) \$535 appraisal fee when the Plaintiff completed the sale of the Gaul Street Property on July 2, 2013 (Doc. No. 22 ¶¶ 55-61) is dismissed.
2. Defendant's Motion for Summary Judgment as to Count II of the Amended Complaint is denied. Plaintiff's claims in Count II that Defendant violated the Pennsylvania Unfair Trade Practices and Consumer Protection Law ("UTPCPL"), 73 Pa. Stat. Ann. §§ 201-1 to -9.3, by collecting (1) \$2,934 in attorney's fees and a

(2) \$535 appraisal fee upon Plaintiff's closing of the sale of the Gaul Street Property on July 2, 2013 (Id. ¶¶ 63-65) is not dismissed.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.